

Youth, Rights & Justice

ATTORNEYS AT LAW

To: House Committee on Judiciary, 2016 Oregon Legislature

From: Mark McKechnie, Exec. Director, Youth, Rights & Justice

Date: February 9, 2016

RE: HB 4074 and Amendments regarding juvenile registration

Chair Barker and Members of the Judiciary Committee:

Youth, Rights & Justice has represented thousands of youth in the juvenile justice system since 1975. In 2015, the Oregon Legislature passed HB 2320 to require juvenile courts to hold a hearing regarding the issue of lifetime registration for juveniles. There were technical issues with the bill related to different groups of youth offenders – those who were under the jurisdiction of the juvenile court prior to the effective date of the bill and those who were under or will be under the jurisdiction of the juvenile court on or after the effective date (8/12/15). **HB 4074 and the -1 amendments effectively resolve the outstanding issues from HB 2320.**

Once these issues were identified, a work group of stakeholders representing the courts, prosecutors, public defense and the Oregon Youth Authority, began drafting fixes to address the groups of youths affected by the bill and also refining the procedural provisions of the bill. **HB 4074 and the amendments are the result of the consensus of this work group. This bill addresses the technical issues HB 2320, while maintaining the policy changes enacted by the 2015 Legislature.**

Briefly, the issues addressed in HB 4074 include:

- Clarifying the individuals or entities that are parties to the proceeding when the court considers the issue of registration.
- Procedures for those youth for whom jurisdiction ended after the effective date of HB 2320 but before the effective date of HB 4074. These provisions are temporary and will sunset in 2018.
- Procedures regarding notice to the court by the Oregon Youth Authority, Juvenile Department and/or Juvenile Psychiatric Security Review Board.
- Procedures for the appointment of counsel for eligible persons.
- Procedures for submitting treatment and other records to the court and so that they can be accessed by the parties to the case.
- Clarifying and confirming the registry status of those youth who were no longer under the jurisdiction of the juvenile court on the effective date of HB 2320, August 12, 2015.

The stakeholders worked with Legislative Counsel and Judiciary Counsel for several months and participated in a painstakingly thorough review of the affected statutes regarding juvenile court procedures and records in this case. The result is a clear and sensible procedure for handling these cases going forward.

Youth, Rights & Justice urges the committee to adopt the -1 amendments and move HB 4074 with a “Do Pass” recommendation.

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